

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

)  
WOLVERINE PROCTOR & SCHWARTZ )  
INC., and GREAT AMERICAN )  
ALLIANCE INSURANCE CO., INC. )  
Plaintiffs )  
) Civil Action No. 04-12189RWZ  
v. )  
)  
XYZ TAPE CORP., f/k/a PATCO CORP., )  
WILLIAM B. WILBUR, and )  
TRAVELERS PROPERTY CASUALTY )  
COMPANY OF AMERICA, )  
Defendants. )  
)

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)**

Pursuant to Local Rule 7.1A(2), undersigned counsel certifies that he has conferred with counsel for the plaintiffs concerning the motion by Travelers Property Casualty Company of America ("Travelers") to join in the motion for summary judgment filed by co-defendants XYZ Tape Corp. and William Wilbur and that plaintiffs' counsel, Matthew Walko, has no objection to Travelers joining in said motion.

In addition, pursuant to Rule 7.1A(2), undersigned counsel conferred with Mr. Walko concerning Travelers' motion for summary judgment as to Count II of the complaint, and the attorneys were unable to resolve their differences.

Respectfully submitted,  
Travelers Property Casualty  
Company of America

/s/ Joseph S. Berman  
Joseph S. Berman, Esq.  
BBO No. 566006  
Berman & Dowell  
210 Commercial St.  
Boston, MA 02109  
617-723-9911

CERTIFICATE OF SERVICE

I, Joseph S. Berman, hereby certify that on this 23<sup>rd</sup> day of September, 2005, I filed a copy of the foregoing by electronic means with the United States District Court for the District of Massachusetts using the CM/ECF system, which will send notification to the following: Matthew J. Walko, Esq., Smith & Duggan LLP, Two Center Plaza, Suite 620, Boston, MA 02108; and Lee MacPhee, Esq., Morrison Mahoney LLP, 250 Summer Street, Boston, MA 02210 and that the document has been served on all counsel of record in compliance with the Federal Rules of Civil Procedure.

\_\_\_\_\_  
/s/ Joseph S. Berman  
Joseph S. Berman